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4 Attorney for Plaintiff

5  
 6 **UNITED STATES DISTRICT COURT**  
 7 **CENTRAL DISTRICT OF CALIFORNIA**  
 8

9  
 10 JAMES R. GLIDEWELL DENTAL  
 CERAMICS, INC. DBA  
 11 GLIDEWELL LABORATORIES, a  
 California corporation,

12 Plaintiff

13 vs.

14 KEATING DENTAL ARTS, INC., a  
 15 California corporation,

16 Defendant.  
 17

Case No. SACV11-01309-DOC(ANx)

**PLAINTIFF'S INITIAL  
 DISCLOSURES UNDER F.R.C.P.  
 RULE 26(a)(1)(A)**

18 Pursuant to Rule 26(a)(1)(A) of the Federal Rules of Civil Procedure,  
 19 Plaintiff hereby discloses that it may rely on the following witnesses who are  
 20 likely to have discoverable information in regard to Plaintiff's claims in this  
 21 Action:

22 Jim Shuck – Vice President Sales and Marketing (Glidewell Labs)

23 regarding sales and marketing of the products bearing the trademark;

24 Michael Cash – Marketing (Glidewell Labs) regarding sales and marketing of  
 25 the products bearing the trademark;

26 Rudy Ramirez – Restorations (Glidewell Labs) regarding strength of the  
 27 trademark;  
 28

1 Dr. Michael DiTolla – D.D.S. (Glidewell Labs) regarding strength of the  
 2 trademark;  
 3 Catherine Bonser – Business Unit Manager (Dentsply Intl) regarding industry  
 4 recognition of the trademark;  
 5 Robin Carden – Senior Director Research & Development (Glidewell Labs)  
 6 regarding industry recognition of the trademark;  
 7 Wolfgang Friebauer – Director Research & Development & Education  
 8 (Glidewell Labs) regarding likelihood of public confusion and damages  
 9 resulting from Defendant’s infringement;  
 10 Robin Bartolo – (Glidewell Labs) regarding likelihood of public confusion and  
 11 damages resulting from Defendant’s infringement;  
 12 Various employees and officers of Defendant Keating Dental Arts based upon  
 13 a disclosure of names and job functions to be discovered from information  
 14 served by Defendant in this Action regarding infringement and selection of  
 15 Defendant’s trademark and the resulting damages to the Plaintiff.

16  
 17 In accordance with said Rule, Plaintiff may rely on the following  
 18 documents to support its claims in this Action:

- 19  
 20 1) 2 pages of List of Semifinal Candidates for 2012 DrBicuspid  
 21 Dental Excellence Awards BRUXZIR® material as Best New Material;  
 22
- 23 2) 2-page Article entitled “Anterior BruxZir® Solid zirconia Crown”  
 24 dated September 13, 2011 by Michael D. DiTolla, D.D.S.;  
 25
- 26 3) 2-page Article entitled “Gordon Christensen on BruxZIR® –  
 27 From Dental Economics dated April 13, 2011;  
 28

- 1  
2 4) 2-page Ad from Acutech Dental Milling Center regarding  
3 BruxZir® Solid Zirconia restorations;  
4
- 5 5) 3-page Ad from DAL Dental Arts Laboratory regarding BruxZir®  
6 Solid Zirconia restorations;  
7
- 8 6) 1-page Article from Keller Laboratories regarding BruxZir®  
9 Zirconia Crowns;  
10
- 11 7) 3-page Article/Ad from Somer Dental Labs regarding BruxZir®  
12 crowns;  
13
- 14 8) 3-page Article regarding Anterior BruxZir® solid zirconia crowns  
15 by Michael DiTolla, D.D.S. from Dental Economics;  
16
- 17 9) 2-page Article entitled “BruxZir® Vs. PFM: New Zirconia Vs.  
18 Old Tried And True”;  
19
- 20 10) 1-page Article entitled “Tosoh Recognizes BruxZIR®” dated  
21 February 2011 from Inside Dental Technology, Vol. 2, Issue 2;  
22
- 23 11) 2-page Press Release from MobileTek Dental Labs regarding  
24 BruxZir® Solid Zirconia restorations;  
25
- 26 12) 1-page Article regarding Whip Mix/Glidewell partnership for  
27 BruxZir® zirconia restorations;  
28

13) 2-page Article entitled "Moving To Monolithic" from Inside Dental Technology January, 2011, Vol. 2, Issue 1;

14) 4-page Article from LabPages regarding CEREC® and noting BruxZir® Solid Zirconia;

15) 2-page Article from Substructures entitled "Glidewell Dental Lab Introduces BruxZir® Solid Zirconia Crowns and Bridges";

16) 3-page Article entitled "Crowns And Fixed Prostheses: State Of The Art";

17) 2-page List of Authorized BruxZir® Laboratories;

18) Various Glidewell BruxZir® advertisements and various Keating KDZ Bruxer advertisements;

19) 1-page graph of monthly sales of BruxZir® vs PFM by Glidewell from June '09 to October '11;

20) Communication from Catherine Bonser to Jim Shuck regarding: Recognition of BruxZir® Brand.

Plaintiff expressly reserves the right to rely on witnesses and documents and things not listed herein and which may become known through discovery during the course of this Action to supplement these disclosures pursuant to

1 F.R.C.P. Rule 26(e). Plaintiff does not currently have sufficient information to  
2 compute any categories of damages claimed in this Action.

3  
4 The undersigned counsel certified under F.R.C.P. 26(g) that, after  
5 reasonably inquiry and to the best of his knowledge, the disclosures contained  
6 above are accurate and complete as of the present time.

7  
8 Respectfully submitted,

9  
10 /Leonard Tachner/  
Leonard Tachner  
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13 Dated: December 5, 2011

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